

**BellSouth Telecommunications, Inc.** 

333 Commerce Street Suite 2101

Nashville, TN 37201-3300

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Guy M. Hicks General Counsel

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TH REGULATORY AUTHORITY
COCKET ROOM

January 27, 2003

### **VIA HAND DELIVERY**

Hon Sarah Kyle Chairman Tennessee Regulatory Authority 460 James Robertson Parkway Nashville, Tennessee 37243-0505

Re:

Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and ICG Telecom Group, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996.

Docket No. <u>03-000</u> 76

### Dear Chairman Kyle:

Pursuant to Section 252(e) of the Telecommunications Act of 1996, ICG Telecom Group, Inc. and BellSouth Telecommunications, Inc. are hereby submitting to the Tennessee Regulatory Authority the original and fourteen copies of the attached Petition for Approval of the Amendment to the Interconnection Agreement dated January 1, 2000. The Amendment provides for Virtual Collocation language and additional rates.

Thank you for your attention to this matter.

Sincerely yours,

Guy M. Hicks

cc: Executive Vice President Government & External Affairs, ICG Communications, Inc. General Counsel, ICG Communications, Inc.

## BEFORE THE TENNESSEE REGULATORY AUTHORITY Nashville, Tennessee

In re:

Approval of the Amendment to the Interconnection Agreement Negotiated by BellSouth Telecommunications, Inc. and ICG Telecom Group, Inc. Pursuant to Sections 251 and 252 of the Telecommunications Act of 1996

| Oocket No.  |
|-------------|
| JUCKEL INU. |

# PETITION FOR APPROVAL OF THE AMENDMENT TO THE INTERCONNECTION AGREEMENT NEGOTIATED BETWEEN BELLSOUTH TELECOMMUNICATIONS, INC. AND ICG TELECOM GROUP, INC. PURSUANT TO THE TELECOMMUNICATIONS ACT OF 1996

COME NOW, ICG Telecom Group, Inc. ("ICG") and BellSouth Telecommunications, Inc., ("BellSouth"), and file this request for approval of the Amendment to the Interconnection Agreement dated January 1, 2000 (the "Amendment") negotiated between the two companies pursuant to Sections 251 and 252 of the Telecommunications Act of 1996, (the "Act"). In support of their request, ICG and BellSouth state the following:

- 1. ICG and BellSouth have successfully negotiated an agreement for interconnection of their networks, the unbundling of specific network elements offered by BellSouth and the resale of BellSouth's telecommunications services to ICG. The Interconnection Agreement was approved by the Tennessee Regulatory Authority ("TRA") on August 5, 2002.
- 2. The parties have recently negotiated an Amendment to the Agreement which provides for Virtual Collocation language and additional rates. A copy of the Amendment is attached hereto and incorporated herein by reference.
- 3. Pursuant to Section 252(e) of the Telecommunications Act of 1996, ICG and BellSouth are submitting their Amendment to the TRA for its consideration and

approval. The Amendment provides that either or both of the parties is authorized to submit this Amendment to the TRA for approval.

- 4. In accordance with Section 252(e) of the Act, the TRA is charged with approving or rejecting the negotiated Amendment between BellSouth and ICG within 90 days of its submission. The Act provides that the TRA may only reject such an agreement if it finds that the agreement or any portion of the agreement discriminates against a telecommunications carrier not a party to the agreement or the implementation of the agreement or any portion of the agreement with the public interest, convenience and necessity.
- 5. ICG and BellSouth aver that the Amendment is consistent with the standards for approval.
- 6. Pursuant to Section 252(i) of the Act, BellSouth shall make the Agreement available upon the same terms and conditions contained therein.

ICG and BellSouth respectfully request that the TRA approve the Amendment negotiated between the parties.

This \_28 day of \_\_\_\_\_\_\_, 2003.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By:

Guy M. Hicks

333 Commerce Street, Suite 2101

Nashville, Tennessee 37201-3300

(615) 214-6301

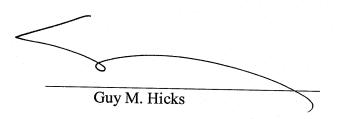
Attorney for BellSouth

### CERTIFICATE OF SERVICE

I, Guy M. Hicks, hereby certify that I have served a copy of the foregoing Petition for Approval of the Amendment to the Interconnection Agreement on the following via United States Mail on the day of \_\_\_\_\_\_, 2003:

Executive Vice President Government & External Affair ICG Communications, Inc. 161 Inverness Drive West Englewood, Colorado 80112

General Counsel ICG Communications, In. 161 Inverness Drive West Englewood, Colorado 80112



## AMENDMENT TO THE AGREEMENT BETWEEN ICG TELECOM GROUP, INC. AND

### BELLSOUTH TELECOMMUNICATIONS, INC.

### **DATED JANUARY 1, 2000**

(TENNESSEE)

Pursuant to this Amendment, (Amendment"), ICG Telecom Group, Inc. ("ICG"), and BellSouth Telecommunications, Inc. ("BellSouth"), hereinafter referred to collectively as the "Parties", hereby agree to amend that certain Agreement between the Parties, for the state of Tennessee, dated January 1, 2000 ("Agreement").

WHEREAS, BellSouth and ICG entered into the Agreement on January 1, 2000, and;

WHEREAS, the Parties desire to amend the Agreement to include virtual collocation language and to add virtual collocation rates.

NOW THEREFORE, in consideration of the mutual provisions contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

- 1. The Parties agree that Attachment 4 of the Agreement is amended to add Section 3.6 as follows:
  - "<u>Virtual Collocation</u>. BellSouth will provide virtual collocation in accordance with the Terms and Conditions as contained in BellSouth's FCC No 1 Tariff."
- 2. The Agreement entered into between BellSouth and ICG is hereby amended to add Virtual Collocation elements and rates to Exhibit C of Attachment 2 of the Agreement as identified in Schedule 1 attached hereto and by this reference made a part hereof.
- 3. All of the other provisions of the Agreement, dated January 1, 2000, shall remain in full force and effect.
- 4. Either or both of the Parties are authorized to submit this Amendment to the respective state regulatory authorities for approval subject to Section 252(e) of the Federal Telecommunications Act of 1996.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by their respective duly authorized representatives on the date indicated below.

| ICG Telecom Group, Inc.      | BellSouth Telecommunications, Inc. |
|------------------------------|------------------------------------|
| By: Mhh MW                   | By: lea Therorte                   |
| Name: Michael D. Kallet      | Name: Elizabeth R.A. Shimile       |
| Title: EVP of Operations CTO | Title: assistant Durcto            |
| Date: October 17, 2002       | Date:                              |

| Column   C | UNDONU     | UNBUNDLED NE I WORK ELEMENTS - Tennessee   |               |   |        |                   |              |           |              |              |           |   |                         |                         |                         |                           |
|--|------------|--|---------------|---|--------|-------------------|--------------|-----------|--------------|--------------|-----------|---|-------------------------|-------------------------|-------------------------|---------------------------|
| Part Elebert   Part |            |  |               |   |        |                   |              |           |              |              | 0         |   | Attachment: 2           | 2                       | Exhi                    |                           |
| Note calculated by the control of  | CATEGORY   |  |               |   |        |                   |              |           |              |              | Submitted |   | Charge -                | Incremental<br>Charge - | Incremental<br>Charge - |                           |
| Part    |            |  | Interim Zon   |   | nsoc   | · Acide months de |              | RATES(\$) |              |              | per LSR   |   | Manual Svc<br>Order vs. | Manual Svc<br>Order vs. | Manual Svc<br>Order vs. | Manual Svc<br>Order vs.   |
| Part   Note    |            |  |               |   |        |                   |              |           |              |              |           |   | Electronic-<br>1st      | Electronic-<br>Add'I    | Electronic-<br>Disc 1st | Electronic-<br>Disc Add'l |
| Part    |            |  | 1             |   |        |                   | Nonrecurring |           | Nonrecurring | 1 Disconnect |           |   | OSS                     | Rates(\$)               |                         |                           |
| Delicio - Againstance Control - Co |            |  |               |   |        |                   | FIIST        | Add'i     | First        | Addī         | SOMEC     |   | SOMAN                   | SOMAN                   | SOMAN                   | SOMAN                     |
| MATES   ESPCY   1746 00  | VIRTUAL CC | ИГОСАТІОМ  | 1             |   |        |                   |              |           |              |              |           |   |                         |                         |                         |                           |
| MATIFE   ESPECY   176.00   1 |            | Virtual Collocation - Application Cost   |               | AMTES                                   | FAF    |                   | 00 000 0     | 00000     |              |              |           |   |                         |                         |                         |                           |
| MMTFS   ESPAY   351  |            | Virtual Collocation - Cable Installation Cost, per cable   |               | AMTES                                   | ESPCX  |                   | 1 749 00     | 2,633.00  |              |              |           |   | 2.07                    | 2.81                    | 0.67                    | 1.41                      |
| MATTES   SESPAX   17.87   10.46   8.75   10.46   8.75   10.47   10.4 |            | Virtual Collocation - Floor Space, per sq. ft.   |               | AMTES                                   | ESPVX  | 3.91              | 00.04.1.1    | 1,748.00  |              |              |           | 1 | 2.07                    | 2.81                    | 0.67                    | 1.41                      |
| MATES   SEPEX   1781   122   32.22   17.76   10.46   8.75   10.47    |            | dille need out but the company   | +             | AMTFS                                   | ESPAX  | 62.9              |              |           |              |              |           |   |                         |                         |                         |                           |
| USL UCCAMTES   USL  |            | Virtual Collocation - Cable Support Structure, per entrance cable  |               | AMTFS                                   | ESPSX  | 17.87             |              |           |              |              |           |   |                         |                         |                         |                           |
| UNIC.Y. ULDI.   UNIC.Y. ULDI |            |  |               | USL, ULC, AMTFS,                        |        |                   |              |           |              |              |           |   |                         |                         |                         |                           |
| UNLOT, USLEL, ONCIX, 152 222   1776  |            |  |               | ULK, UX101,<br>UNC1X, ULDD1,            |        |                   |              |           | -            |              |           |   |                         |                         |                         |                           |
| CALLOLAMITS)   |            | Virual collocation - Special Access & UNE, cross-connect per DS1   |               | U1TD1, USLEL,                           | 200    |                   |              |           |              |              |           |   |                         |                         |                         |                           |
| California Unitary   Califor |            |  | -             | DINEDI                                  | XLONO  | 1.32              | 32.22        | 17.76     | 10.46        | 8.75         |           |   | 202                     | 284                     | 790                     | 77.7                      |
| UNISS, ULDOS, ULDOS, UNISS, ULDOS, UNISS, ULDOS, UNISS,  |            |  |               | USL, ULC, AMTFS, U<br>E3, U1TD3, UXTS1, |        |                   |              |           |              |              |           |   | i i                     | 0.7                     | 70.0                    | 4.                        |
| MITS, ULDST, UNLOST, |            |  |               | UNCSX, ULDD3                            |        |                   |              |           |              |              |           |   | •                       |                         |                         |                           |
| AMTES         VETCB         0.00043         TEG         15.00 <th< td=""><td></td><td>Virtual collocation - Special Acess &amp; UNE, cross-connect per DS3</td><td></td><td>U1TS1, ULDS1,</td><td></td><td></td><td>*****</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></th<>  |            | Virtual collocation - Special Acess & UNE, cross-connect per DS3   |               | U1TS1, ULDS1,                           |        |                   | *****        |           |              |              |           |   |                         |                         |                         |                           |
| AMTES         VETCD         0.0045         R. SEGO         R.  |            | Virtual Collocation - Co-Carrier Cross Connects - Fiber Cable  |               | UDLSA, UNLU3                            | CND3X  | 12.32             | 29.97        | 16.30     | 12.03        | 8.99         |           |   | 2.07                    | 281                     | 790                     | 177                       |
| AMTES         VETCD         565.03         1         1         207         2.81         0.67           AMTES         VETCE         565.03         1,771.00         207         2.81         0.67           AMTES         VETBB         2,56.03         18.05         1,771.00         0.67         2.81         0.67           AMTES         VETBB         2,56.03         18.05   |            | Support Structure, per linear foot   |               | AMTFS                                   | VE1CB  | 0.0031            |              |           |              |              |           |   |                         |                         |                         |                           |
| AMITS         VEICE         555.03         1,711.00         207         2.81         0.67           AMITS         VEIGE         555.03         1,711.00         0.67         2.81         0.67           AMITS         VEIBS         1,711.00         2.07         2.81         0.67           AMITS         VEIBS         1,806         18.05         0.67         0.67           AMITS         VEIBS         279.42         279.42         0.67         0.67           AMITS         SPTEX         41.50         2.56.1         0.67         0.67           AMITS         SPTOX         40.96         30.79         2.07         2.81         0.67           AMITS         SPTOM         40.90         40.90         2.07         2.81         0.67   | -          | Villual Collocation - Co-Carrier Cross Connects - Copper/Coax<br>Cable Support Structure per linear #  |               |   |        |                   | 1            |           |              |              |           |   |                         |                         |                         |                           |
| AMTES         VETCE         555.03         Control         Con   |            | Virtual Collocation - Co-Carrier Cross Connects - Fiher Cable  | $\frac{1}{1}$ | AMTFS                                   | VE1CD  | 0.0045            |              |           |              |              |           |   |                         |                         |                         |                           |
| AMTES         VETURE         565.03         1,771.00         1,  |            | Support Structure, per cable   |               | AMTES                                   | VE10.0 |                   | 40           |           |              |              |           |   |                         |                         |                         | T                         |
| AMTES         VETGE         555.03         C 203         C 207         C 201         C 201 <t< td=""><td></td><td>Virtual Collocation - Co-Carrier Cross Connects - Copper/Coax</td><td></td><td></td><td>3</td><td></td><td>50.03</td><td></td><td></td><td></td><td></td><td></td><td>2.07</td><td>2.81</td><td>0.67</td><td>1.41</td></t<>  |            | Virtual Collocation - Co-Carrier Cross Connects - Copper/Coax  |               |   | 3      |                   | 50.03        |           |              |              |           |   | 2.07                    | 2.81                    | 0.67                    | 1.41                      |
| AMTES         VE1BA         1,711,00         1,805   |            | Virtual Collocation Cahle People 201   |               |   | VE1CE  |                   | 555.03       |           |              |              |           |   | 20                      | 700                     |                         |                           |
| AMTES         VE1BC         18.05 <th< td=""><td></td><td>Virtual Collocation Cable Records - VG/DS0 Cable ner cable</td><td></td><td></td><td>VE1BA</td><td></td><td>1,711.00</td><td></td><td></td><td></td><td></td><td></td><td>7.0.7</td><td>7.01</td><td>0.67</td><td>1.41</td></th<>  |            | Virtual Collocation Cable Records - VG/DS0 Cable ner cable   |               |   | VE1BA  |                   | 1,711.00     |           |              |              |           |   | 7.0.7                   | 7.01                    | 0.67                    | 1.41                      |
| MATTES         VETBC         18.05 <t< td=""><td></td><td>record</td><td></td><td>AMTFS</td><td>VE1BB</td><td></td><td>90.500</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></t<>   |            | record   |               | AMTFS                                   | VE1BB  |                   | 90.500       |           |              |              |           |   |                         |                         |                         |                           |
| AMTES         VE1BC         18.05 <th< td=""><td></td><td>Virtual Collocation Cable Records - VG/DS0 Cable, per each 100 pair</td><td></td><td></td><td></td><td></td><td>00.00</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></th<>  |            | Virtual Collocation Cable Records - VG/DS0 Cable, per each 100 pair  |               |   |        |                   | 00.00        |           |              |              |           |   |                         |                         |                         |                           |
| AMTES         VEIBE         8.45         9.67         <  |            | Virtual Collocation Cable Records - DS1, per T1TIF   |               |   | VE1BC  |                   | 18.05        | 18.05     |              |              |           |   |                         |                         | -                       |                           |
| AMTES         VE1BE         279.42         279.42         677           AMTES         SPTEX         33.15         20.44         20.44         20.7         2.81         0.67           AMTES         SPTEX         41.50         25.61         677         2.07         2.81         0.67           AMTES         SPTEX         49.86         30.79         67         2.81         0.67           AMTES         SPTOM         35.77         35.77         35.77         2.07         2.81         0.67           AMTES         SPTPM         40.90         40.90         2.07         2.81         0.67   |            | Virtual Collocation Cable Records - DS3, per T3TIE   |               |   | VE180  |                   | 8.45         | 8.45      |              |              |           |   |                         |                         |                         |                           |
| AMTES         VE1BF         279.42         279.42         677         2.81         0.67           AMTES         SPTDX         41.50         25.61         6.67         2.81         0.67           AMTES         SPTDX         49.86         30.79         6.7         2.07         2.81         0.67           AMTES         SPTOM         36.47         36.47         6.7         2.07         2.81         0.67           AMTES         SPTOM         40.90         40.90         40.90         2.07         2.81         0.67  |            | Virtual Collocation Cable Records - Fiber Cable, per 99 fiber  |               |   | VETBE  |                   | 29.57        | 29.57     |              |              |           |   |                         |                         |                         | T                         |
| AMTES         SPTEX         33.15         20.44         0.67         2.81         0.67           AMTES         SPTOX         41.50         25.61         67         2.07         2.81         0.67           AMTES         SPTOX         49.86         30.79         67         2.07         2.81         0.67           AMTES         SPTOM         35.77         35.77         35.77         0.67         2.07         2.81         0.67           AMTES         SPTOM         40.90         40.90         2.07         2.81         0.67  |            | records Virtual collection Committee in the control collection in the coll |               |   | VE1BF  |                   | 279.42       | 270.42    |              |              | 1         |   |                         |                         |                         |                           |
| AMTFS         SPTOX         40.50         2.07         2.81         0.67           AMTFS         SPTOX         49.86         30.79         2.07         2.81         0.67           AMTFS         CTRLX         36.77         35.77         35.77         35.77         2.07         2.81         0.67           AMTFS         SPTOM         35.77         35.77         35.77         2.07         2.81         0.67  |            | Virtual collocation - Security ESCORT - Basic, per hair nour   |               |   | SPTBX  | -                 | 33.15        | 20 44     | T            | 1            | +         |   |                         |                         |                         |                           |
| AMIFS         SPTPX         49.86         30.79         207         2.81         0.67           AMIFS         CTRLX         30.64         30.64         30.64         30.64         0.67           AMIFS         SPTOM         35.77         35.77         28.7         0.67           AMIFS         SPTPW         40.90         40.90         2.07         2.81         0.67  |            | Virtual Collocation - Security Escort - Overtime, per half hour  |               |   | SPTOX  |                   | 41.50        | 25.61     |              | 1            | 1         | + | 2.07                    | 2.81                    | 0.67                    | 1,41                      |
| AMIFS         CTRLX         30.64         30.64         30.64         30.64         30.67         2.81         0.67           AMIFS         SPTOM         35.77         35.77         35.77         2.07         2.81         0.67           AMIFS         SPTPM         40.90         40.90         2.07         2.81         0.67  |            | Virtual collocation - Maintenance in CO Bosic Bost Late  | 1             |   | SPTPX  |                   | 49.86        | 30.79     | T            | T            | 1         | 1 | 2.07                    | 2.81                    | 0.67                    | 1,41                      |
| AMTFS SPTOM 35.77 35.77 36.77 2.07 2.81 0.67 2.81 0.67 2.81 0.67 2.81 0.67   |            | The rest consequent - maintental Inc III OC - Dasic, per nair hour   | +             |   | CTRLX  |                   | 30.64        | 30.64     |              |              | 1         | + | 2.07                    | 2.81                    | 0.67                    | 1.41                      |
| AMTFS SPTPM 40.90 40.90 2.07 2.81 0.67   |            | Virtual collocation - Maintenance in CO - Overtime, per half hour  |               |   | SPTOM  |                   | 35 77        | 35.77     |              |              |           |   |                         | 2                       | P. Company              | *                         |
| 1   NWITS   SPIPM 40.90   40.90   2.07   2.81   0.67   |            | Virtual collocation - Maintenance in CO - Premium per half hour  |               |   |        |                   |              |           |              |              |           | + | 2.07                    | 2.81                    | 0.67                    | 1.41                      |
|  |            |  |               |   | SPTPM  |                   | 40.90        | 40.90     |              |              |           |   | 2.07                    | 281                     | 780                     | - ;                       |

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